



Public Service Commission of the District of Columbia  
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AGNES ALEXANDER YATES  
CHAIR

September 26, 2007

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

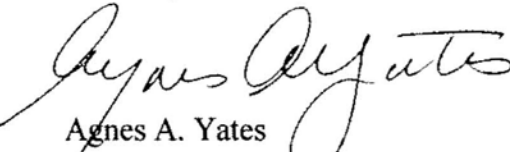
**Re: Application for Renewal of Current TRS State Certification CG Docket No. 03-123**

Dear Ms. Dortch:

On June 22, 2007, the Federal Communications Commission ("FCC") issued Public Notice DA 07-2761, which requested that all States submit applications for renewal of current TRS State certification on or before October 1, 2007. Respectfully, the Public Service Commission of the District of Columbia ("DCPSC") requests that the FCC accept the attached Application, and four copies, for Renewal of Current TRS Certification.

Should you require further information, please do not hesitate to contact me.

Sincerely,

  
Agnes A. Yates

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Before the  
Federal Communication Commission  
Washington, D.C. 20554

|                              |   |                      |
|------------------------------|---|----------------------|
| In the Matter of             | ) | CG Docket No. 03-123 |
|                              | ) |                      |
| TRS Renewal Application      | ) |                      |
| For the District of Columbia | ) |                      |

**APPLICATION FOR RENEWAL OF CURRENT TRS STATE CERTIFICATION**

The Public Service Commission of the District of Columbia (“DCPSC”) and Verizon Business Services, pursuant to the Federal Communications Commission’s (“FCC”) June 22, 2007, Telecommunications Relay Service (“TRS”) public notice, hereby submit the TRS state renewal application for the District of Columbia (“DC” or “District”).<sup>1</sup> As required by the Notice, the DCPSC and Verizon Business Services hereby submit documentation pursuant to Section 64.605 of the FCC’s rules governing the provision of TRS.<sup>2</sup> The District of Columbia has elected to institute D.C. TRS through regulation by the DCPSC of an intrastate TRS provider, selected through competitive bidding.

OVERVIEW

Pursuant to the notice released by the FCC on June 22, 2007, the DCPSC hereby submits this application for renewal of the certification of the District’s TRS system. As required by the Notice, the DCPSC hereby submits, in compliance with Section 64.605 of the FCC’s rules<sup>3</sup>,

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<sup>1</sup> See *Consumer & Governmental Affairs Bureau Reminds States that Current Telecommunication Relay Service (TRS) Certification will Expire on July 26, 2008, and Provides a Timeline for Seeking Recertification*, Public Notice, DA 07-2761, released June 22, 2007 (Notice).

<sup>2</sup> 47 C.F.R. § 64.605.

<sup>3</sup> 47 C.F.R. § 64.605 provides, in pertinent part, that:

(a) State Documentation—(1) Certified state program. Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington D.C. 20554, and captioned “TRS State Certification Application.” All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.

(b) (1) Requirements for state certification. After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:

(i) Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in 47 C.F.R. § 64.604;

documentation which establishes that D.C. TRS meets all of the FCC's operational technical, and functional minimum standards in Section 64.604 of the FCC's TRS rules, and in some respects exceeds those standards. Further, the DCPSC states that adequate procedures and remedies have been established for enforcing the requirements of the District's program, and that the District's program does not in any way conflict with Federal law.

On September 5, 1991, the DCPSC issued an Order<sup>4</sup> initiating an investigation to determine whether there was a need for Verizon DC<sup>5</sup> to provide TRS in the District of Columbia, and, if the DCPSC decided there was a need, when D.C. TRS should be provided, what standards should be applicable, and how D.C. TRS should be funded. On January 2, 1992, the DCPSC issued Order No. 9927<sup>6</sup>, which adopted TRS in the District of Columbia. The DCPSC concluded, in pertinent part, the following:

1. D.C. TRS should be a commercial entity;
2. D.C. TRS would be owned and operated by a third-party vendor under contract with Verizon DC after a competitive bidding process;
3. The D.C. TRS system must meet all FCC standards and shall exceed those standards in at least the following respects:
  - a. The overall system requirement shall be a minimum typing speed of 45 words per minute, Individual Communications Assistants ("CAs") will be permitted to build up to the 45 words-per-minute speed during the initial three months after hiring;<sup>7</sup>
  - b. Actual relay service shall begin within 30 seconds of answering;<sup>8</sup> and
  - c. CAs must be high school graduates or shall have passed a high school equivalency examination and they shall be able to accurately translate the

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(ii) Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and

(iii) Where a state program exceeds the mandatory minimum standards contained in 47 C.F.R. § 64.604, the state establishes that its program in no way conflicts with federal law.

<sup>4</sup> *Formal Case No. 850, In the Matter of the Investigation Into the Reasonableness of the Authorized Return on Equity, Rate of Return, and Current Charges and Rates For Telecommunications Services Offered by the Chesapeake and Potomac Telephone Company, Order No. 9809*, rel. September 5, 1991.

<sup>5</sup> Verizon was created as a result of the merger of Bell Atlantic and GTE in July 2000.

<sup>6</sup> *Formal Case No. 850, Order No. 9927*, rel. January 27, 1992. The relevant portions of which are attached as Exhibit 1.

<sup>7</sup> *Id.* at 174. The current contract between the DCPSC and MCI Communications Services Inc. d/b/a Verizon Business Services requires 60 wpm.

<sup>8</sup> *Id.* The current contract between the DCPSC and MCI Communications Services Inc. d/b/a Verizon Business Services requires that 85% of calls be answered within 10 seconds by any method which results in the call being placed immediately, not put in queue or on hold.

language and vocabulary used by TRS users, irrespective of the degree of technical sophistication of that language;<sup>9</sup>

4. The D.C. TRS vendor should be required to have procedures in place for handling complaints “in-house”; and
5. The DCPSC would establish an advisory board to provide community input to the DCPSC, Verizon DC, and the TRS provider.<sup>10</sup>

On March 9, 1992, after conducting a competitive bidding process, Verizon DC selected AT&T as its TRS vendor. According to the agreement between Verizon DC and AT&T, 85 percent of all calls were to be answered within 10 seconds. Intrastate TRS in the District of Columbia began on May 7, 1992, and interstate service was initiated on May 16, 1992. The initial five-year contract between Verizon DC and AT&T was extended for a term ended May 5, 2004.

On April 16, 2004, after conducting a competitive bidding process, pursuant to a request for proposals dated February 5, 2004, the DCPSC entered into a contract for TRS with Hamilton Telephone Company for a term ended April 15, 2007. On April 4, 2007, after conducting a competitive bidding process, pursuant to a request for proposals dated February 14, 2007<sup>11</sup>, the DCPSC entered into a contract for TRS with MCI Communications Services Inc. d/b/a Verizon Business Services for a fifteen month term beginning April 13, 2007 and terminating on July 12, 2008, unless extended for up to two (2) one (1) year periods<sup>12</sup>.

The 24-hour, toll-free Customer Service telephone number is (866) 560-1452. The telephone number for TRS voice service is (800) 643-3739 and TTY service is (800) 643-3768. The 711 dialing has been available in the District since 2000.

The telephone numbers used to reach the TRS vendor have not changed. The current access numbers are:

TTY – 1-800-643-3768  
ASCII – 1-800-898-0137  
Voice – 1-800-643-3769  
Speech-to-speech – 1-800-898-0740  
Spanish-to-Spanish TTy – 1-800-546-7111  
Spanish-to-Spanish Voice – 1-800-546-5111

Since the initiation of service, the number of monthly calls has increased by more than 1,000 calls per month from 6,215 in May 1992 to the latest two month levels of 7,660 for June and 7,216 for July, 2007. Exhibit 4 provides a description of the features that are currently available through the D.C. TRS.

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<sup>9</sup> *Id* at 174-175.

<sup>10</sup> *Id* at 179.

<sup>11</sup> A copy of the RFP is attached as Exhibit 2.

<sup>12</sup> A copy of the Response to the RFP is attached as Exhibit 3.

## DISTRICT OF COLUMBIA TRS PROGRAM DESCRIPTION

The District of Columbia TRS has previously been certified by the FCC and has been in continuous certified operation since 1992. On June 22, 2007 the FCC issued a Public Notice identifying those certifications which will expire on July 26, 2008 and inviting those states to make renewal applications by October 1, 2007 to give the FCC adequate time to review and rule on the applications prior to the expiration of the current certification.

Section 64.605 of the FCC's rules requires that any state desiring to establish a state program under this section shall submit documentation to the FCC in narrative form clearly describing the state program and the procedures and remedies for enforcing any requirements imposed by the state program.

Section 64.604 of the FCC's rules describes the standards that must be met for state TRS programs to be certified, in three areas: (a) Operational Standards; (b) Technical Standards; and (c) Functional Standards. Each area is addressed Exhibit 5.

**Exhibit No. 1**

Public Service Commission

of the District of Columbia

Order No. 9927 (January 27, 1992)

(Relevant portions only)

850-T 664

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
450 FIFTH STREET, N.W., WASHINGTON, D.C. 20001

OPINION AND ORDER

January 27, 1992

FORMAL CASE NO. 850, IN THE MATTER OF INVESTIGATION INTO THE  
REASONABLENESS OF THE AUTHORIZED RETURN ON EQUITY, RATE OF RETURN,  
AND CURRENT CHARGES AND RATES FOR TELECOMMUNICATIONS SERVICES  
OFFERED BY THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY,  
Order No. 9927

Before the Commission:

Howard C. Davenport, Chairman  
Belva D. Newsome, Commissioner  
Edward M. Meyers, Commissioner

1992 JAN 27 AM 10:10  
CHIEF CLERK

APPEARANCES:

Lee A. Satterfield, Eric N. Miller, Christopher W. Savage, Leslie A. Vial, Mark J. Mathis and Sherry F. Bellamy for Chesapeake and Potomac Telephone Company; Elizabeth A. Noel, Michael A. McRae, Cathy Thurston, Frederick D. Cooke, Joanne Doddy Fort, Karen R. Sistrunk and John Dodge for the Office of the People's Counsel; Glen A. Stover and Mark A. Keffer for American Telephone and Telegraph Company; Hubert Anderson, Jr. and David J. Nelson for D.C. Association of Deaf Citizens; Barbara E. Brown, Dorren E. Thompson, Leslie H. Nelson, Herbert O. Reid, Sr., and John Payton for the District of Columbia Government; Robert C. MacKichan, Jr., Vincent L. Crivella, Michael J. Ettner, Leigh Ann Holt and Edmund W. Chapman for the General Services Administration; Robert C. Lopardo for MCI Telecommunications Corporation; Andrew D. Lipman and Helen E. Disenhaus for Metropolitan Fiber Systems of Washington, D.C.; Alfred Sonnenstrahl for Telecommunications for the Deaf, Inc.; Keith Townsend for U.S. Sprint Communications Company Limited Partnership; Brenda K. Pennington, Margo P. Domon, Josephine Scarlett-Simmons and Lisa C. Wilson for the Commission Staff; and Daryl L. Avery, General Counsel to the Commission.



| Service         | Units<br>(A) | Present<br>Rate<br>(B) | New<br>Rate<br>(C) | Difference<br>(D=B-C) | Present<br>Ann Rev<br>(E=AxBx12) | Proposed<br>Ann Rev<br>(F=AxCx12) | Ann<br>Impact<br>(G=E-F) |
|-----------------|--------------|------------------------|--------------------|-----------------------|----------------------------------|-----------------------------------|--------------------------|
| 1. New Econ II  | 7,250        | \$ 0.00                | \$1.00             | \$ 1.00               | \$ 0                             | \$ 87,000                         | \$ 87,000                |
| 2. Pres Econ II | 2,905        | \$ 3.83                | \$1.00             | \$ (2.83)             | \$ 133,514                       | \$ 34,860                         | \$ (98,654)              |
| 3. Econ I       | 1,116        | \$ 4.47                | \$1.00             | \$ (3.47)             | \$ 59,858                        | \$ 13,391                         | \$ (46,467)              |
| 4. Flat Rate    | 2,236        | \$14.94                | \$1.00             | \$ (13.94)            | \$ 400,935                       | \$ 26,836                         | \$ (374,099)             |
| 5. DC Only      | 2,236        | \$ 9.16                | \$1.00             | \$ (8.16)             | \$ 245,821                       | \$ 26,836                         | \$ (218,984)             |
| 6. Message Rl   | <u>2,236</u> | <u>\$ 7.64</u>         | <u>\$1.00</u>      | <u>\$ (6.64)</u>      | <u>\$ 205,029</u>                | <u>\$ 26,836</u>                  | <u>\$ (178,193)</u>      |
| TOTAL           | 17,980       |                        |                    |                       | \$1,045,157                      | \$215,760                         | \$ (829,397)             |

Given the \$111,505 cost of waiving the service connection charges, the estimated revenue impact of \$829,397 must be increased to yield a total estimated revenue reduction of \$940,902.

#### B. Telecommunications Relay Services

On July 26, 1991, the Federal Communications Commission ("FCC") issued an order amending its rules to require each common carrier providing telephone voice transmission services to provide telecommunications relay services ("TRS") by July 26, 1993 throughout the area in which it offers services, "individually, through designees, through a competitively selected vendor, or in concert with other carriers."<sup>105</sup> This order was issued pursuant to

<sup>104</sup> (...continued)

Line 2: All present Economy II customers (2,905) will take the revised Economy II service.

Line 3: 3,848 households subscribe to Economy I, and 29% of those will become new Economy II subscribers (.29 x 3,848 = 1,116).

Lines 4-6: The remaining Economy II service units [17,980 - (7,250 + 2,905 + 1,116) = 6,709] will be split equally among former flat rate, DC only, and message rate services (6,709 ÷ 3 = 2,236).

Lines 2-6: "Present rates" are those now in effect, not those which will be approved by the Commission through the current rate proceeding.

<sup>105</sup> In the Matter of Telecommunications Services for Individuals With Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990, Report and Order and Request for Comments, CC Docket No. 90-571, FCC 91-213, Released July 26, 1991 at 1-2.

the Americans With Disabilities Act of 1990 ("ADA"),<sup>106</sup> which requires common carriers to provide TRS. 47 U.S.C. § 225(b)(3).

On September 5, 1991, the Commission issued an Order<sup>107</sup> adding the following issue (and numerous sub-issues) to Formal Case No. 850:

Is there a need for C&P to provide Telecommunications Relay Services in the District of Columbia, and, if so, when should they be provided, what standards should be applicable, and how should they be funded?

C&P, OPC, Staff, AT&T, U.S. Sprint Communications Company Limited Partnership ("Sprint"), the District of Columbia Association of Deaf Citizens ("DCADC"), Telecommunications for the Deaf, and MCI Telecommunications Corporation participated in the TRS portion of this proceeding. Three well-attended community hearings were held in which the Commission had the opportunity to hear comments from a broad spectrum of the deaf, hard of hearing and mute communities, persons familiar with the needs of those communities, and potential TRS users. These comments were extremely informative, and they have been particularly helpful to us in evaluating the issues relevant to the provision of TRS in the District.

1. Positions of the Parties: Establishing a TRS System

Following the final hearing on TRS in this proceeding, the parties, except Telecommunications for the Deaf, reached agreement on most of the outstanding issues regarding the establishment of a TRS system for the District of Columbia. This agreement is reflected in the Joint Report on Partial Settlement of Issues Relating to Telecommunications Relay Services in the District of Columbia ("Joint Report" or "Jt. Rpt.") that was signed by all of the parties and submitted to the Commission on December 10, 1991. The parties' agreement can be summarized as follows:

- (1) the TRS systems currently offered by private organizations and the General Services Administration in the District of Columbia do not provide adequate service and, consequently, TRS should be provided in the District by a commercial entity (Jt. Rpt. at 1);

<sup>106</sup> S.933, Pub. L. 101-336, 104 Stat. 327, 366-69 (1990).

<sup>107</sup> Formal Case No. 850, Order No. 9809 (September 5, 1991).

(2) the TRS system will probably be owned and operated by a third-party vendor under contract with C&P, rather than by C&P itself, and the vendor should be selected through a competitive bidding process conducted by C&P on the following timetable to ensure a fully operational system by no later than August 1992:<sup>106</sup>

| Event                    | Time Interval                 |
|--------------------------|-------------------------------|
| PSC Issues Order         | 1/1/92 (estimated)            |
| C&P Issues RFP           | one week later                |
| C&P Receives Bids        | three weeks later             |
| C&P Selects Vendor       | three weeks later             |
| System Fully Operational | ASAP, but not later than 8/92 |

(id. at 2-3);

(3) if no acceptable bids are received through a competitive bidding process, C&P will remain responsible for ensuring that TRS is provided in accordance with the ADA, the regulations of the FCC, and the standards of this Commission (id. at 4);

(4) TRS should be provided by a commercial vendor rather than by a volunteer organization (id. at 4);

(5) the District's TRS system should meet and, in certain respects, exceed the FCC's minimum standards, with requirements that Communications Assistants be high school graduates (or the equivalent) with a minimum typing speed of 45 words per minute and that 85%-90% of calls be answered

<sup>106</sup> Although it is not clearly spelled out in the Joint Report, C&P states in its Final Post-Hearing Brief that the parties agreed that "potential TRS vendors should be permitted to present bids based on providing service through a District-specific relay center and through a regional relay center, so that the costs of the two options can be compared." C&P Final Post-H. Br. at 7 n.25 (citing Jt. Rpt. at 7-8.)

within ten seconds,<sup>109</sup> with actual relay service to begin within thirty seconds of answering (id. at 4-5);

(6) the TRS vendor should have procedures for handling complaints "in-house", while TRS users should also be able to raise complaints directly with C&P, the Commission, OPC, or an Advisory Committee established to provide guidance on the TRS system (id. at 5-6); and

(7) the Advisory Committee should consist of representatives of the Commission, OPC, C&P, and the community of users of the TRS system (id. at 6).

The only issues on which the parties did not reach agreement concern the mechanisms for funding TRS and for recovering costs related to the interconnection of the District's TRS system with interstate TRS.

The essence of the debate on funding a TRS system concerns whether the costs of the system should be recovered through a surcharge or through base rates. C&P and Staff both recommend the use of a surcharge, while OPC and DCADC contend that TRS costs should be recovered through base rates. The vendors do not take a position on funding issues. Id. at 7.

C&P contends that it is impossible to estimate the actual cost of providing a TRS system for the District and that the only practical means of funding a new system is through an annually adjusted surcharge. C&P Ex. (5J) at 11-12. C&P claims that it is impossible to estimate costs now because the Commission has yet to set system standards, the amounts to be charged by the vendor are yet unknown, and the demand for TRS has yet to be quantified. Id. at 12. C&P further notes that TRS system usage typically grows over time and that the pace of such growth is very difficult to predict. Id. at 12. C&P recommends that the "TRS surcharge be modeled on the current E911 surcharge of 16¢ per non-Centrex access line and 2¢ per Centrex access line," with such a surcharge to be adjusted annually to reflect actual costs. Id. at 13. C&P argues that the amount of the surcharge should be incurred on C&P's bills under the existing line-item labelled "Surcharge for Federal Cost Adjustments." Jt. Rpt. at 7-8; C&P Final Post-H. Br. at 6-7. Staff agrees that it would be appropriate to fund TRS through an

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<sup>109</sup> The parties agree that vendors should include in their bids the costs of both answering 85% and 90% of the calls within ten seconds, so that the costs can be compared as part of the selection process. Jt. Rpt. at 5.

increase in the existing Surcharge for Federal Cost Adjustments. Jt. Rpt. at 7-8; PSC Post-H. Memo. at 8-9.

OPC argues that TRS is a basic service that should be funded in the same manner as other basic services, through base rates. OPC Post-H. Br. (TRS) at 3-6. OPC points out that the ADA requires local exchange companies to provide to members of the deaf, hard of hearing and mute communities telephone services that are "functionally equivalent" to telephone services provided to hearing individuals, and that increased rates cannot be charged to TRS users for these services. OPC Ex.(2H) at 18-19. OPC argues that funding the TRS system through the line-item surcharge proposed by C&P improperly singles out one class of ratepayers for different treatment because of its members' physical characteristics (OPC Post-H. Br. (TRS) at 4), could stigmatize TRS users and lead to a negative reaction by hearing people who see the surcharge on their phone bills (OPC Ex. (2H) at 19-21; OPC Post-H. Br. (TRS) at 12); and is opposed by the deaf, hard of hearing and mute communities. OPC Post-H. Br. (TRS) at 4, 6. OPC comments that the Commission traditionally disfavors the use of surcharges and argues that the existing Surcharge for Federal Cost Adjustments should be reserved for non-traffic-sensitive costs associated with jurisdictional separations. Id. at 8-11. DCADC agrees that TRS should be "supported, offered and considered a part of basic phone services." DCADC Ex. at 7-8. Although DCADC advocates funding through base rates, it states that it will accept C&P's surcharge mechanism on an interim basis if the Commission changes over to base rate funding within two years. DCADC Post-H. Br. at 2-3.

AT&T agrees with C&P that it is impossible to determine the overall cost of TRS for the District at this time and supports C&P's proposal to adjust the charge annually. AT&T Ex. at 17. AT&T notes its concern that the deaf, hard of hearing and mute communities not be stigmatized by surcharge labels and recommends that any label used should be carefully selected. Id. at 18.

The parties were also unable to agree on the amount of an adjustment to basic rates or of a surcharge that would be necessary to pay for TRS, although they agree that it would be appropriate to split the total amount of TRS costs between residential customers (35%) and business customers (65%). Jt. Rpt. at 8.

C&P states that the surcharge would vary annually to reflect the actual cost of operating the TRS system. C&P Ex.(5J) at 14. OPC concurs with C&P that it is currently impossible to determine the cost of a TRS system and how basic telephone rates would have to be adjusted to pay for the system. OPC Ex.(2H) at 23. OPC recommends that the recovery of the costs associated with the TRS system be deferred until C&P's next general rate proceeding, when those costs will be known and measurable. Id. at 23-24.

Staff recommends that C&P be required to file additional testimony documenting TRS costs when this information is known so that an appropriate surcharge or adjustment to base rates can be determined. PSC Ex.(4I) at 14. Staff suggests that it and other parties be permitted to file comments on the reasonableness of such costs and the appropriate service rate. *Id.* DCADC notes that the amount charged for TRS in other states generally ranges from 3¢ to 25¢ per line, with an average of 10¢ to 15¢ per line, and recommends an initial charge in the District of 20¢ per line. DCADC Ex. at 8.

As explained in the Joint Report, "[e]ach party believes that its preferred funding mechanism reflects the experience of other states" and Staff will continue to monitor the relevant activities of other states. Jt. Rpt. at 8-9.

Whichever funding mechanism is chosen, C&P, OPC and Staff agree that Economy II customers should be exempt from paying TRS charges. Jt. Rpt. at 8.

Although the parties all agree that the TRS system must permit any TRS user to connect to the interexchange carrier of the user's choice, they could not agree on the appropriate mechanism for recovering the costs of such interstate calls. Jt. Rpt. at 6-7. The parties other than OPC agree that such costs should be recovered from C&P's customers in the same way that the costs for intra-District TRS calls are recovered. *Id.* OPC, however, opposes the recovery of interstate costs through intrastate charges, arguing that intrastate ratepayers should not subsidize interstate costs. *Id.* at 7; OPC Post-H. Br. (TRS) at 12-13.

## 2. Analysis and Decision: Establishing a TRS System

The Commission adopts the parties' settlement agreement as reflected in the Joint Report<sup>110</sup> because it represents a thoughtful and reasonable solution to the issue of how best to provide a TRS system in the District of Columbia, it is supported by the evidence, and it is in the public interest of District residents. We will not, however, expressly exempt Economy II customers from paying TRS charges because those charges will, for the most part, be included in the base rates, as explained below. Accordingly, based on the evidence presented, we reach the following conclusions:

1. The TRS systems currently available in the District do not provide adequate service. As a result, the District's TRS

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<sup>110</sup> The Commission commends the parties for their efforts to settle the issues related to TRS.

system should be provided by a commercial entity, and should meet the standards below.

2. C&P itself will not own and operate the TRS system. Instead, the TRS system will be owned and operated by a third-party vendor under contract with C&P after a competitive bidding procedure conducted by C&P.

3. The timetable for the bidding procedure will be as follows:

| Event              | Time Interval                    |
|--------------------|----------------------------------|
| PSC Issues Order   | 1/27/92                          |
| C&P Issues RFP     | three weeks later                |
| C&P Receives Bids  | ten days later                   |
| C&P Selects Vendor | one week later                   |
| System Operational | ASAP, but not later than 5/30/92 |

4. Prior to the issuance of the RFP, C&P will send letters to those entities of which it is aware that are providing TRS systems in other jurisdictions advising them of the pending release of the RFP, in order to ensure that an adequate number of potential vendors respond to the RFP.

5. The RFP will specify that vendors will be competing, in part, on the speed with which the system can be made operational. The RFP will also contain penalty provisions in the event that a vendor promises an operational system by a given date, then fails to meet that date.

6. The system required to be operational on or before May 30, 1992 may be an interim system that meets FCC standards. Full compliance with District standards is required within three months after contract award if the District TRS system is provided from an existing regional TRS center, or six months after contract award in all other cases.

7. The RFP will require the winning vendor to make periodic reports to C&P and to the Advisory Board established hereunder, indicating the performance of the TRS system in relationship to the District-specific standards. These reports shall include the period of operation of any interim system, including any initial difficulties the vendor encounters in meeting system standards.



Any such difficulties will be reported promptly to C&P and the Advisory Board.

8. The items listed above are not exhaustive of the items to be addressed in the RFP. C&P will consult with the Staff, OPC, and representatives of the deaf, hard of hearing and mute communities in the preparation of the RFP and the selection of the winning vendor. Staff and OPC shall jointly determine which members C&P shall consult with. However, Staff and OPC shall make certain that the views of Hubert Anderson and David Nelson are considered. C&P, however, will be responsible for making the choice among bidders.

9. Within fourteen (14) days after the award of the contract, C&P will file a report with the Commission containing copies of the bids received and explaining the factors that led C&P to choose the winning vendor.

10. If no acceptable bids are received, C&P is required to ensure that the service is nevertheless provided in accordance with the schedule set forth herein, the terms of the ADA, the regulations of the FCC, and the standards for the TRS system adopted by this Commission.

11. The District's TRS system must meet all FCC standards and shall exceed those standards in at least the respects set out below. The RFP may request that vendors include additional features, such as a "store and forward" system, as options.

a. Typing Speed. The overall system requirement shall be a minimum typing speed of 45 words per minute. Individual Communications Assistants will be permitted to build up to the 45 words-per-minute speed during the initial three months after hiring.

b. Speed of Answer. Vendors shall be required to include in their bids the cost of (a) a system in which 85% of calls are answered within 10 seconds and (b) a system in which 90% of calls are answered within 10 seconds, so that the costs of these two options may be compared and a choice made between them. In either case, actual relay service shall begin within 30 seconds of answering.

c. Qualifications of Communications Assistants. Communications Assistants shall be high school graduates or shall have passed a high school equivalency examination. Communications Assistants shall be able to accurately translate the language and vocabulary used by TRS system users (including grammar and pronunciation), irrespective of the degree of technical sophistication of that language. If at the end of the first year of operation of the TRS system, it appears that an inadequate level of qualifications for Communications Assistants is interfering with



the ability of the system to meet the needs of users, these qualifications may be revised upward.

d. Future Changes in Standards. The fact that the specific standards listed above already exceed FCC minimum standards does not mean that additional higher standards may not be established in the future.

12. The TRS vendor should be required to have procedures in place for handling complaints "in-house," and bidders shall describe those procedures in their responses to the RFP. TRS system users will also be able to raise complaints about the system directly with C&P, with the Commission, with the OPC, or with the Advisory Board. The Commission's complaint procedures will be fully available to TRS users, with C&P responsible for responding to TRS-related complaints before the Commission.

We have carefully considered the parties' various recommendations for funding the TRS system through a surcharge or through base rates. The surcharge mechanism proposed by C&P has the distinct advantage of providing a relatively efficient means for C&P to recover its costs in establishing an extensive new service. As noted by OPC, however, we generally disfavor the use of surcharges. Moreover, we agree with DCADC and OPC that TRS is a basic service and are sensitive to the possibility that members of the deaf, hard of hearing and mute communities could be stigmatized by the use of a line-item surcharge. We, therefore, conclude that TRS should be funded through base rates.

Because sufficient cost information is not yet available to assess accurately the increase in base rates that will be necessary to pay for the new TRS system, and we do not believe that it would be appropriate to initiate a new base rate proceeding at this time, we have decided to fund TRS initially by increasing base rates by an amount that should cover a significant portion of total TRS costs, or \$.20 per access line per month. To the extent the amount charged is greater or less than the actual costs of providing TRS, a surcharge mechanism will be used to adjust that amount appropriately. This surcharge (or reduction) will be reflected in each customer's surcharge for Federal Cost Adjustments and will be adjusted on an annual basis. It will not be listed as a separate line item so as not to stigmatize the deaf, hard of hearing and mute communities through the use of an inappropriately labeled surcharge. The specific calculation of the TRS amount of each customer's surcharge will be as proposed in C&P Ex. (5J)-1, to reflect an 8:1 ratio between non-Centrex access lines and Centrex access lines. See C&P Ex. (5J) at 13. Each customer's appropriate TRS amount will then be added to the surcharge amount calculated as it is today, for a single total "surcharge for Federal Cost Adjustments" reflecting both TRS amounts and amounts related to the phase-down of the Subscriber Plant Factor. In the next general

rate proceeding, when the TRS system is operational and its costs are known, we will be able to recover TRS costs through base rates without the need for a surcharge.

The Commission has determined that the TRS system must permit all TRS users to connect to the interexchange carriers they choose. C&P, Staff, DCADC, Sprint and AT&T agree that the costs of such interstate calls should be recovered in the same way that the costs for intra-District TRS calls are recovered. OPC was unwilling to agree to this point. Except for OPC's objection, the Commission would approve the other parties' agreement on this issue. If OPC withdraws its objection, the Commission would order the recovery of interstate costs as the other parties have suggested.

### 3. Positions of the Parties: TRS Advisory Board

Following the hearing on TRS, and after determining that the advisory board discussed in the Joint Report will make a valuable contribution to the establishment and operation of a TRS system in the District (see Jt. Rpt. at 6), the Commission solicited additional comments concerning the appropriate structure and role of the TRS Advisory Board. Formal Case No. 850, Order No. 9932, (Dec. 20, 1991). C&P recommends that the Advisory Board consist of no more than eight members, with three members from the deaf, hard of hearing and mute communities (two to be appointed by DCADC and one by Gallaudet University), and one member each from the District of Columbia government, Staff, OPC, C&P, and the TRS vendor. Comments of the Chesapeake and Potomac Telephone Company (dated Dec. 27, 1991) ("C&P Comments") at 2. C&P asserts that the Advisory Board should perform many of the same roles as the Relay Texas Advisory Board<sup>III</sup>, but argues that it is not necessary to

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<sup>III</sup> In Order No. 9932, the Commission discussed the Relay Texas Advisory Board as a possible model for the District of Columbia's Advisory Board. As described in that order, the Relay Texas Advisory Board has thirteen members and

is involved in a wide range of issues, including the original request for proposals to provide TRS, complaints of the public about TRS service and operators, publicity campaigns including budgets, changing of the Commission's rules concerning handling of interstate traffic, protocols to be followed by operators, comments to be filed in the Federal Communications Commission (FCC) or Joint Board proceedings, analysis of contracts between carriers, use of ASCII technology, and confidentiality of the

(continued...)

involve the Advisory Board in the development of the RFP, in the analysis of contracts between carriers, and in filing any comments before the FCC and the Federal/State Joint Board. Id. at 2-3.

OPC recommends that the Advisory Board be composed of no more than fifteen members, with a majority of members, including the chairperson, coming from the deaf, hard of hearing and mute communities, and the remainder coming from the Commission (or Staff), OPC, C&P, the TRS vendor, and the District government agency responsible for issues involving the deaf, hard of hearing and mute communities. Comments of the Office of the People's Counsel in response to Commission Order No. 9932 (dated Dec. 27, 1991) ("OPC Comments") at 2. OPC concurs with C&P that the Advisory Board need not be involved in developing the RFP and that such involvement would only delay the selection of a TRS vendor. Id. See C&P Comments at 2. OPC also agrees that it is not necessary for the Advisory Board to analyze interexchange carrier contracts, because such contracts do not exist in the District of Columbia, and that the other matters considered by the Relay Texas Advisory Board are appropriate for the District's Advisory Board. OPC Comments at 3.

Staff contends that it, along with other appropriate parties, should be represented on the Advisory Board, but notes that "any requirement that a minimum number of representatives be selected from a particular group or be endorsed by a specific organization is wholly unnecessary." Comments of the Staff of the Public Service Commission of the District of Columbia in Response to Order No. 9932 (dated Dec. 27, 1991) at 3-4. Unlike C&P and OPC, Staff recommends that the Advisory Board be permitted to draft a model RFP as part of its participation in the vendor selection process. Id. at 4. Staff stresses that the Advisory Board should focus on quality of service issues and that it should be responsible for publicizing the availability of TRS. Id. at 4-5.

AT&T stated that it has no objections to the structure of the advisory board used in Texas. Letter from Mark A. Keffer to Commission (dated Dec. 27, 1991).

DCADC contends that the Advisory Board should consist of the following:

one representative from the telephone consumer group (if one exists);

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<sup>111</sup>(...continued)  
system.

one representative from the Office of People's Counsel;

two representatives recommended by the DCADC;

one representative recommended by the DC Chapter Association of Late-Deafened Adults ("ALDA") or AARP;

one representative recommended by the Self Help for Hard of Hearing Persons ("SHHH");

one representative recommended by the president of Gallaudet University;

two representatives from the federal government (one of whom must be deaf; the other must be hard of hearing);

one representative recommended by the Black Deaf Advocates ("BDA");

one representative from C&P Telephone Company;

one representative from Deaf/Blind population (must be deaf/blind) and recommended by the Metro Washington Association of Deaf/Blind ("MWADB"); and

one representative from the speech impaired population (must be mute) and recommended by the DC Chapter of American Speech Language Hearing Association.

Letter from Hubert Anderson, Jr. to Commission (dated Dec. 26, 1991) at 1. DCADC asserts that the responsibilities of the Advisory Board should be the same as those of the Relay Texas Advisory Board, except that the District's Advisory Board need only "review/approve" the RFP developed by C&P, rather than assist in developing the RFP. Id. at 2. DCADC would permit C&P to retain the authority to solicit and evaluate bids, and to select the vendor, although it recommends that C&P have at least two representatives of the deaf and hard of hearing communities on the bid evaluation and selection panel. Id. DCADC also recommends the creation of an office with professional and support staff to function as a liaison between the Commission, the TRS industry and customers, and to provide assistance to the Advisory Board, which would be paid for out of the funds raised to finance the TRS system. Id.

4. Analysis and Decision: TRS Advisory Board

The parties are largely in agreement that the Commission, OPC, C&P, and the deaf, hard of hearing and mute communities should be represented on the Advisory Board, and we concur that these parties could make a valuable contribution to the establishment and continued operation of the District's TRS system. The comments of DCADC have been particularly helpful in determining appropriate representatives of the deaf, hard of hearing and mute communities, although we are sensitive to Staff's concerns that these representatives should not be limited to the members of certain organizations. C&P and OPC contend that the District of Columbia government and the TRS vendor should also be represented, and we agree that their presence would be beneficial. We therefore find that the TRS Advisory Board should consist of the following:

- 1) one representative of the Commission;
- 2) one representative of OPC;
- 3) one representative of C&P;
- 4) one representative of the TRS vendor;
- 5) one representative of a District of Columbia government agency responsible for issues involving the deaf, hard of hearing and mute communities;
- 6) one representative of the federal government (if the federal government desires to participate);
- 7) one individual recommended by the president of Gallaudet University;
- 8) two individuals recommended by DCADC;
- 9) one individual recommended by the District of Columbia chapter of the Association of Late-Deafened Adults;
- 10) one individual recommended by Self Help for Hard of Hearing Persons;
- 11) one individual recommended by Black Deaf Advocates;
- 12) one individual recommended by the Metro Washington Association of Deaf/Blind;
- 13) one individual recommended by the District of Columbia chapter of the

American Speech Language Hearing Association;

- 14) one individual recommended by Deaf Pride Incorporated; and
- 15) one individual selected "at-large" by the Commission who is familiar with the needs of the deaf, hard of hearing and mute communities in the District of Columbia and who may or may not be affiliated with any of the aforementioned organizations.

The named organizations are encouraged to recommend individuals who will be users of the TRS system. The Advisory Board will be permitted to select its own chairperson.

We find that the Advisory Board should have virtually the same functions as the Relay Texas Advisory Board. It will, therefore, have the opportunity to advise the Commission, C&P, and the TRS vendor on a broad range of matters concerning the establishment and operation of the District of Columbia's TRS system, including: complaints by the public about TRS service and TRS operators; publicity campaigns for TRS, including the budgetary requirements of same; the Commission's rules concerning interstate traffic; protocols to be followed by operators; the use of ASCII and other relevant technology; the confidentiality of the TRS system; and any matters concerning TRS that are being considered by the FCC or the Federal/State Joint Board. The Advisory Board will report directly to the Commission.

C&P, OPC, and DCADC agree that the Advisory Board should not participate in drafting the RFP. The Commission concludes that such participation would result in unnecessary delay, especially where the general parameters of the RFP have already been agreed upon by the parties in their Joint Report and are set forth herein. We further agree with DCADC that, although C&P should retain authority to solicit and evaluate bids, it should attempt to consult the deaf, hard of hearing and mute communities. Since the Advisory Board will not have been constituted in time to provide such consultation, C&P should consult with the representatives of those communities who participated in these hearings. We find that it is unnecessary for the Advisory Board to participate in the analysis of interexchange carrier contracts because there is only one local exchange carrier in the District of Columbia. Although the Advisory Board will be free to provide advice on any matters being considered by the FCC or the Federal/State Joint Board, none of the parties to this proceeding will be obligated to accept such advice.

**Exhibit No. 2**

2007 TRS Solicitation and

Request for Proposals

RFP No. PSC-07-10

# Public Service Commission of the District of Columbia

1333 H Street, N.W., 7th Floor.



Washington, DC 20005 (202) 626-5100

February 14, 2007

RE: Formal Case No. 988  
RFP No.: PSC-07-10

Dear Prospective Offerors:

The District of Columbia Public Service Commission (Commission) invites you to review and respond to Request for Proposals (RFP) No. PSC-07-10, in Formal Case No. 988. This RFP may result in the award of a contract to provide **Telephone Relay Service in the District of Columbia**.

All but the Standard Contract Provisions of the RFP are attached. See instructions provided below to obtain these documents from the Commission's website. All proposals are due **no later than 4:00 p.m., Tuesday, March 13, 2007**.

To obtain the Standard Contract Provisions from the Commission website: Go to [www.dcpssc.org](http://www.dcpssc.org) (homepage), click on the Contracting and Procurement button, click on Requests for Proposals, click on the RFP for Formal Case No. 988.

**All proposals must disclose in writing any interest or relationship that could affect your or your company's impartiality in this proceeding, or which might create an appearance of impartiality or bias. The Commission will evaluate any potential conflicts of interest and will take appropriate measures to address any conflict, potential conflict, or appearance of impropriety.**

The Commission will review all proposals submitted and will notify you or your firm, in writing, if your proposal is accepted. The Commission will not pay for work begun without written authorization. Should you require additional contract-related information, please contact Jesse P. Clay, Jr., Deputy Executive Director for Administrative Matters, on (202) 626-5145 or by email: [jclay@psc.dc.gov](mailto:jclay@psc.dc.gov). The Commission looks forward to receiving your proposal. Thank you for your interest.



Enclosures

cc: Office of Chairperson Agnes A. Yates,  
Office of Commissioner Richard E. Morgan  
Dr. Phylicia Fauntleroy Bowman, Executive Director  
Richard Beverly, General Counsel  
Ellen Brown, Contract Administrator

***Request for Proposal to Provide  
Telecommunications Relay Service  
in Washington DC***

***Release Date: Wednesday, February 14, 2007  
Deadline for Submission:  
Tuesday, March 13, 2007 @ 4:00 p.m. EST***

**For additional information about this RFP, please contact:**

**Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
DC Public Service Commission  
1333 H Street, NW, 2<sup>nd</sup> Floor, West Tower  
Washington, DC 20005  
jclay@psc.dc.gov**

***See Page 14 for instructions on submitting proposals***

Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Fed Tax ID No.: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Prices contained in this proposal are subject to acceptance within \_\_\_\_\_ calendar days.

I have read, understand, and agree to all terms and conditions herein.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

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# 1. SUMMARY OF THE PROJECT

The Public Service Commission of the District of Columbia (Commission or PSC) is soliciting proposals to provide District-wide, 24 hours a day, 7 days a week Telecommunications Relay Service (TRS) beginning April 13, 2007. TRS provides a platform to enable text telephone (TTY) and non-TTY users to communicate on the publicly switched telecommunications network. Through state of the art technology and highly trained and skilled Communication Assistants (CA), the District's TRS Provider will provide hearing and speech impaired individuals access to telecommunications services that are functionally equivalent to those used by hearing people communicating by voice.

The Commission intends to award a fifteen month contract to a single vendor, with two one-year extension options. Thus, the maximum period of the contract, with extensions, is three years and three months. The TRS contract will be managed by the District of Columbia Universal Service Trust Fund (DCUSTF) Administrator, currently Rhoads & Sinon LLC (R&S).

# 2. ACRONYMS / DEFINITIONS

**ASL** American Sign Language – A visual language based on hand shape, position, movement and orientation of the hands in relation to each other and the body.

**ASCII** An acronym for the American Standard Code for Information Interexchange which employs an eight bit code and can operate at any standard transmission baud rate including 300, 1200, 2400 and higher.

**BAUDOT** A seven bit code, only five of which are information bits. Baudot is used by some text telephones to communicate with each other at a 45.5 baud rate.

**COMMON CARRIER** Any person engaged as a common carrier in interstate communications by wire or radio as defined in Section 3(10) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996.

**CA** Communications Assistant - A person who relays conversation between two end users of TRS.

**HCO** Hearing Carry Over - A reduced form of TRS in which the person with the speech disability is able to listen to the other end user and, in reply, the CA speaks the text as typed by the person with the speech disability. The CA does not type any conversation.

|   |  |
|---|--|
| <b>P.01</b>                               | A grade of service for a telephone system. P.01 indicates that no more than one call in 100 can be blocked (not served immediately) by the system.   |
| <b>TRS</b>                                | Telecommunications Relay Services – Telephone transmission services that provide the ability for an individual who has a hearing or speech disability to engage in communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing or speech disability. TRS includes services that enable two-way communications between an individual who uses a text telephone or other non-voice terminal device and an individual who does not use such a device, speech-to-speech services, video relay services, and non-English relay services. |
| <b>TTY</b>                                | Text Telephone – A machine that employs graphic communications in the transmission of coded signals through a wire or radio communications system.   |
| <b>VCO</b>                                | Voice Carry Over – A reduced form of TRS with which the person with the hearing disability is able to speak directly to the other end user. The CA types the response back to the person with the hearing disability. The CA does not speak the conversation.  |
| <b>STS</b>                                | Speech-to-Speech Relay Service – A telecommunications relay service that allows people with speech disabilities to communicate with voice telephone users through the use of specially trained CAs who understand the speech patterns of persons with disabilities and can repeat the words spoken by that person.   |
| <b>Non-English Language Relay Service</b> | A telecommunications relay service that allows persons with hearing or speech disabilities who use languages other than English to communicate with voice telephone users in a shared language other than English through a CA who is fluent in that language.   |
| <b>Qualified Interpreter</b>              | An interpreter who is able to interpret accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.   |

### **3. SCOPE OF WORK**

#### **3.1 REQUIREMENTS**

3.1.1 The relay system shall handle call procedures and traffic consistent with the essentials outlined in this section during the life of the contract.

3.1.2 The relay system shall comply with the FCC's existing orders,

standards, rules and regulations, including 47 C.F.R. § 64.601 et seq. The TRS Provider and the relay system also shall comply with the Commission's Rules and Regulations, particularly Section 2819.7.

If new or increased standards are mandated during the contract term, the TRS Provider shall notify the DCUSTF Administrator at least 90 days in advance of the implementation. Formal Commission approval of proposed cost increases is necessary. For the balance of the contract term (option years included), the TRS Provider will bill the DCUSTF Administrator only for the incremental costs to implement the new standards.

- 3.1.3 It shall be the responsibility of the selected TRS Provider to perform under the contract in conformance with the District of Columbia Public Service Commission's Procurement Regulations, as well as all statutes, laws, codes, ordinances, regulations, rules, requirements, orders, and policies of governmental bodies, including, without limitation, the U.S. Government and the District of Columbia Government; and it shall be the sole responsibility of the selected TRS Provider to determine the Procurement Regulations, statutes, laws, codes, ordinances, regulations, rules, requirements, orders, and policies that apply and their effect. See **Attachment A** for the Government of the District of Columbia's Standard Contract Provisions.
- 3.1.4 The TRS Provider shall meet, by required timelines, any applicable Commission approval requirements.
- 3.1.5 The TRS Provider shall provide toll-free access to a relay center. The TRS Provider shall provide District-wide service 24 hours a day, every day of the year, in accordance with system requirements and performance standards identified in the RFP and contract, through toll-free access numbers for TTY users and for voice users.

The numbers used to service this RFP shall remain the same within the District. The current access numbers are:

TTY -- 1-800-643-3768  
ASCII -- 1-800-898-0137  
Voice -- 1-800-643-3769  
Speech-to-Speech -- 1-800-898-0740  
Spanish-to-Spanish TTY -- 1-800-546-7111  
Spanish-to-Spanish Voice -- 1-800-546-5111

The TRS Provider also shall provide a 24-hour, toll-free Customer Service number.

3.1.6 Reliability standards of system design:

- a. Uninterruptible Power - The TRS Provider shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.
- b. The TRS Provider shall transmit conversations between TTY and voice callers in real time.
- c. Disaster Recovery Plan - The TRS Provider shall have and explain its complete plan for dealing with all types of natural and man-made problems and disasters. If a major problem or disaster occurs, the TRS Provider shall contact the DCUSTF Administrator immediately. The recovery plan should detail the levels of escalation that will be employed to restore service.

3.1.7 Calls Originating or Terminating in the District of Columbia - Calls must originate or terminate in the District of Columbia to prevent relay costs from being incurred by the DCUSTF if non-residents want to access District of Columbia relay service.

3.1.8 Carrier of Choice - TRS users shall be able to connect to any interexchange carrier requested.

3.1.9 Evaluation Reports - Service evaluation reports must be provided to the DCUSTF Administrator on a monthly basis to ensure that the minimum service requirements are being satisfied by the TRS Provider.

3.1.10 Start-up - The TRS Provider shall provide a plan of implementation to the DCUSTF Administrator that indicates the critical dates for the start-up of TRS and for customer notification. The chosen TRS Provider must be able to meet the April 13, 2007 start date with no disruption in service.

## **3.2 TECHNOLOGY**

3.2.1 ASCII and Baudot – The TRS Provider shall be capable of communications with ASCII and Baudot formats, at any speed in general use.

3.2.2 Speed of Answer - The TRS Provider shall answer 85% of calls within 10 seconds by any method which results in the call being placed immediately, not put in queue or on hold.

3.2.3 The system shall be designed to a P.01 standard.

- 3.2.4 Voice Mail and Interactive Menus - The CA must alert the TRS user to the presence of a recorded message and/or an interactive menu through a “hot key” on the CA’s terminal. The hot key will send text from the CA to the customer’s TTY indicating that the recording or interactive menu has been encountered. TRS Providers shall electronically capture recorded messages and retain them for the length of the call. TRS Providers may not impose any charges for additional calls which must be made by the relay user in order to complete calls involving recorded or interactive messages. TRS services shall be capable of handling pay-per-call telephone calls.
- 3.2.5 Handling of Emergency Calls - The prospective TRS Provider must explain how the relay center will assist callers who, instead of calling 911, have called the relay center for emergency assistance. The prospective TRS Provider must explain the procedure the CA will follow when interacting with the 911 dispatcher.
- 3.2.6 Interstate and International Calls. The prospective TRS Provider must explain how these calls will be handled in relation to the District of Columbia TRS.
- 3.2.7 Traffic Reports - Detailed monthly traffic reports shall be submitted to the DCUSTF Administrator no later than the 25th of the month following that in which the service was provided.
- 3.2.8 Cellular and Other Communications Services - The prospective TRS Provider should explain its procedures for handling cellular and other communications service calls and the related billing procedures.
- 3.2.9 Voice Carryover (VCO) and Hearing Carryover (HCO) - The prospective TRS Provider should provide a description of how it provides these services in accordance with FCC guidelines.
- 3.2.10 The prospective TRS Provider should explain its “in-house” procedures for resolving customer complaints.
- 3.2.11 Confidentiality and Conversation Content - Except as authorized by Section 705 of the Communications Act, 47 U.S.C § 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content and, with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call. However, STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls at the request of the user.
- 3.2.12 Spanish Relay Services - The prospective TRS Provider must have CAs capable of handling Spanish language calls 24 hours a day, 7



days a week. These services should be available in both Spanish-to-Spanish and Spanish-to-English.

- 3.2.13 Directory Assistance – The prospective TRS Provider shall provide callers with access to local and long distance directory assistance. The prospective TRS Provider should explain how it will provide this service and its billing procedures to end-users.
- 3.2.14 Automatic Numbering Identification (ANI) - The TRS Provider shall use ANI, unless it is not available from the Local Exchange Carrier.
- 3.2.15 Caller Identification (Caller ID) - The prospective TRS Provider should provide an explanation of the procedures and technology used to provide Caller ID services.
- 3.2.16 Message Retrieval - The prospective TRS Provider should provide an explanation of how answering machine and voice mail messages will be retrieved.
- 3.2.17 Call Release - The prospective TRS Provider should provide an explanation of how call release services will be provided.
- 3.2.18 Speed Dialing - The prospective TRS Provider should provide an explanation of how speed dialing services will be provided.

### **3.3 OPERATIONAL PROTOCOL, SKILLS, TRAINING, AND STANDARDS**

- 3.3.1 Standardized Greeting - The District of Columbia requests that the CA use a pre-determined script (voice or mechanical depending on the equipment used by the caller) to announce himself/herself as an agent for the District of Columbia TRS. The announcement should include the gender and identification number of the CA.
- 3.3.2 Each CA shall possess the following skills:
  - a. Competence in typing, grammar, spelling; interpretation of typewritten ASL; and familiarity with the hearing and speech disability community's culture, language, and etiquette.
  - b. The CA must possess clear and articulate voice communications.
  - c. The CA must provide a typing speed of at least 60 words per minute.
  - d. The CA must be a high school graduate or have passed a

high school equivalency examination.

- 3.3.3 Code of Ethics - A CA “Code of Ethics,” which will serve as a guide to CA’s professional performance, should be included in the proposal.
- 3.3.4 Each CA shall follow the following guidelines for relaying communications:
- a. Identify himself or herself as a Communications Assistant (TRS operator) and provide his or her gender and identification number.
  - b. The CA shall translate typed English to correct spoken English so that the non-TTY user can understand and converse with the caller.
  - c. The CA shall inform the TTY user of the non-TTY user’s tone of voice, in parentheses. These descriptions should include terms such as laughing or yelling, as well as background noise.
  - d. The CA shall keep the end user informed of the progress of the call, using such terms as ringing, busy signal, put on hold, or disconnected.
  - e. The CA shall honor the TTY user’s option of telling the CA what aspects of the call the TTY user will handle.
  - f. The CA shall communicate exactly what is said when the call is answered and during the conversation, unless either party specifically requests otherwise.
  - g. When relay services need to be explained to a non-TTY user, the CA shall indicate to the TTY user that he or she is explaining the service.
  - h. The CA shall use a conversational tone appropriate to the type of call made by the TTY user.
  - i. The CA shall inform the TTY user if a different person becomes involved in the phone call.
  - j. If a different CA becomes involved in the call, both end users shall be notified. The new CA should give his or her gender and identification number.
  - k. If an end user makes subsequent calls after the initial one (to the relay center) and the called line is busy, the CA shall

permit unlimited re-dial attempts.

- l. All comments (to the relay) by either end user shall be relayed.
- m. The CA shall verify the spelling of all proper nouns, addresses, and numbers that are spoken.
- n. The CA shall disconnect the outbound call when the inbound caller disconnects.
- o. If a caller wants to register a complaint, the CA shall give the caller the option to be connected to a supervisor or to be given the customer service number.
- p. The CA shall not counsel, advise, or interject personal opinions into a relay call. The CA shall not have a personal conversation with an individual using the relay services.
- q. Callers do not have to give their names or the names of the parties they are calling. The CA can request the name only if it would help to explain the relay service, and the CA must explain how this will help the call.
- r. If a TTY user types an “S,” the CA must recognize that this indicates a speech disability.
- s. If a TTY caller reaches an answering machine, the CA shall let the end user know and give the caller the option to leave a message or disconnect the call.

### **3.4 CALL SERVICE SPECIFICATIONS**

- 3.4.1 Call charges to TRS users will cost no more than charges for functionally equivalent service paid by callers that use “regular” telephone services.
- 3.4.2 The TRS Provider must provide billing to end users or their carriers for interstate and intrastate calls, if billing is not provided by others.
- 3.4.3 The TRS Provider shall allow TRS users the ability to use calling cards, credit cards, and third party billing and make collect calls and calls to and from hotel rooms. Please detail how these types of billing will be made available to the user.
- 3.4.4 The TRS Provider shall assure that billed minutes to the District shall be rounded to the nearest fraction of a minute. Please explain how this will be accomplished.

- 3.4.5 The TRS Provider shall specify how local calls, long distance calls and international calls will be identified and documented for billing purposes, specifically those calls to be paid by the DCUSTF and those to be paid by the TRS Administrator for the FCC.
- 3.4.6 The TRS Provider shall explain how long distance charges will be listed on the end user's bill.
- 3.4.7 The TRS Provider shall explain how the billing record detail will be transmitted to the billing agent (if applicable).

## **4. COMPANY BACKGROUND AND REFERENCES**

### **4.1 COMPANY INFORMATION**

The proposal must contain the following information on the company offering to provide TRS, to demonstrate the potential TRS Provider's qualifications and ability to provide TRS in the District of Columbia:

- 4.1.1 Company Ownership – If incorporated, provide the state in which the company is incorporated and the date of incorporation. An out-of-state company must become qualified to do business in the District of Columbia as a foreign corporation before a contract can be executed.
- 4.1.2 Disclosure of any prior or on-going contract failures, contract breaches, and any civil or criminal litigation or pending investigation which involves the company or in which the company has been judged guilty or liable.
- 4.1.3 Company background/history and qualifications for providing TRS in the District of Columbia.
- 4.1.4 Length of time the company has offered TRS.
- 4.1.5 Has the company ever been engaged in a contract with any District agency? If "Yes," specify when, for what duties, and for which agency.
- 4.1.6 Company's Dun and Bradstreet number.
- 4.1.7 Location(s) of the company headquarters and offices that will be assigned to the District of Columbia TRS.
- 4.1.8 Number of employees, both locally and nationally.
- 4.1.9 Location(s) from which employees will be assigned to the District of Columbia TRS.

- 4.1.10 Organizational chart identifying the hierarchical structure of the company's personnel involved in the contracting and provision of TRS. Please include management, legal division, supervisors, etc.
- 4.1.11 Resumes for key staff to be responsible for the performance of any contract resulting from this RFP.
- 4.1.12 Name, address, and telephone number of the company's point of contact for a contract resulting from this RFP.

## **4.2 REFERENCES**

The company must provide the names and contact information of at least three (3) customer references from similar projects performed for private, state and/or large local government clients within the last five years.

## **4.3 CONFLICT OF INTEREST**

A company shall not enter into any partnership agreement or contract with any person or organization that could be construed as a conflict of interest for the provision of TRS in the District of Columbia. If the company is selected to provide TRS in the District of Columbia, it will inform the DCUSTF Administrator of any relationship that it becomes aware of or that develops during the term of the contract that may be interpreted as a conflict of interest.

## **4.4 SUBCONTRACTING**

- 4.4.1 In the event the company desires to subcontract any part of the contracted services to a subcontractor, the prime contractor must identify to the DCUSTF Administrator the specific subcontractor and the specific requirements of this RFP that the proposed subcontractor will perform.
- 4.4.2 The prime contractor must provide the same information for any proposed subcontractor as requested in the Company information section.
- 4.4.3 Three (3) references must be included for any subcontractors.
- 4.4.4 The prime contractor must require any subcontractor to provide insurance information to the DCUSTF Administrator before any work is performed.
- 4.4.5 If the prime contractor intends to use a subcontractor (during the term of the contract) that has not been identified in its response to the RFP, the prime contractor must inform the DCUSTF

Administrator and receive approval from the Commission prior to entering into a subcontractor relationship.

## **5. COST/PRICING**

**Cost/Pricing information must not be included in any other section of this RFP. Please refer to the Submittal Instructions.**

- 5.1** Basic Cost - A fixed rate per session minute covering the first fifteen months of the contract for the services identified in the Scope of Work section shall be submitted.
- 5.2** Companies shall provide a fixed rate per session minute covering the two one-year extensions of the contract that the Commission may opt to exercise. The fixed rate per session minute shall be submitted for the services identified in the Scope of Work section.
- 5.3** Proposals must clearly identify any charges for unbillable and uncollectible calls and must provide sufficient information to evaluate whether any such charges are reasonable.
- 5.4** The proposal must include a detailed plan for implementing TRS in the District of Columbia by April 13, 2007. The plan must describe how the transition from the existing TRS company to the new company will be accomplished. The plan must include procedures for adequate advertising to notify and educate relay users about the change and include a timeline with set dates for major steps in the implementation process from contract award date to start date.
- 5.5** All pricing must be firm and include prices for all mandatory services. No estimates or contingencies are allowed. All prices submitted in response to the RFP will be considered the company's best offer.

## **6. PAYMENT**

Payment for the contracted service will take place within 30 to 45 days after receipt of a monthly invoice. A company may propose an alternative payment option, which will be considered and approved if deemed in the best interest of the District of Columbia. The DCUSTF Administrator, on behalf of the District of Columbia, will not issue payment prior to the receipt of services.

## 7. SUBMITTAL INSTRUCTIONS

- 7.1** All questions and/or comments regarding this RFP must be received in writing and received either by mail, facsimile, or e-mail as follows:  
Questions must reference PSC-07-10 and be addressed to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
District of Columbia Public Service Commission  
1333 H Street, NW, 2<sup>nd</sup> Floor, West Tower  
Washington, D.C. 20005  
Email: [jclay@psc.dc.gov](mailto:jclay@psc.dc.gov)

The deadline for submitting questions is **February 21, 2007 by 2:00 p.m. Eastern Standard Time**. All questions and/or comments will be addressed in writing and responses mailed, faxed or e-mailed to prospective vendors on or about **February 27, 2007 by 2:00 p.m. Eastern Standard Time**. Please provide company name, address, phone number, fax number, e-mail address, and contact person when submitting questions.

- 7.2 RFP Timeline – These dates represent a tentative schedule of events. The Commission reserves the right to modify these dates at any time with appropriate notice to prospective companies.**

|   |                   |
|---|-------------------|
| Publish RFP on Commission website                         | February 14, 2007 |
| RFP questions from offerors due to the Commission         | February 21, 2007 |
| Responses to questions posted on the Commission's website | February 27, 2007 |
| Deadline for submission of proposals                      | March 13, 2007    |
| Selection approved by Commission                          | March 20, 2007    |
| Contract negotiations                                     | March 23, 2007    |
| Contract award  | March 28, 2007    |
| Commencement of Services                                  | April 13, 2007    |

- 7.3** Companies shall submit one (1) original proposal and three (3) copies to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Office of the Commission Secretary  
DC Public Service Commission  
1333 H Street, NW, 2<sup>nd</sup> Floor, West Tower  
Washington, DC 20005

- 7.4**     **Proposals must be received no later than 4:00 p.m. Eastern Standard Time on Tuesday, March 13, 2007.** Proposals that do not arrive by the proposal opening time and date **will not be accepted.** Companies may submit their proposals any time prior to the above stated deadline.
- 7.5**     The Commission will **not** consider any proposals that are sent by facsimile, e-mail, or telephone.
- 7.6**     For ease of evaluation, proposals must be presented in the following format. Exceptions to this format will be considered during the evaluation process and may reflect negatively on the company's score.
- 7.6.1**     Transmittal Letter – A transmittal letter prepared on the company's business stationery must accompany each proposal. An individual authorized to bind the company to all statements contained in the proposal, including those related to services to be provided and prices, must sign the letter. No price information shall be discussed in the letter.
- 7.6.2**     Proposals must begin with a table of contents, be organized consistent with the sections and subsections of this RFP, and have divider tabs for each section.
- 7.6.3**     The entire response must be submitted in no less than 12-point font.
- 7.7**     If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the proposal and specific references should be made to the tab, page, section and/or paragraph where the supplemental information can be found.
- 7.8**     Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFP.
- 7.9**     Descriptions of how any and all equipment and/or services will be used to meet the requirements of this RFP shall be given in detail, along with any appropriately marked information documents.

## **8. EVALUATION CRITERIA**

- 8.1**     Proposals will be consistently evaluated and scored based upon the following three areas, listed in the order of precedence:
- 8.1.1**     System, Operations, and Service Quality
- Mandatory Requirements
  - Technology
  - Operational Protocol, Skills, Training, and Standards



- Call Services Specifications
- Company Background and Subcontractors

8.1.2 Cost/Price

8.1.3 References

**8.2 System, Operations, and Service Quality Rating System:** The System, Operations, and Service Quality area, as outlined in Section 3, “Scope of Work,” and Section 4, “Company Background and References,” is comprised of five specific factors, with a total point score of 170. These factors, with their associated maximum point score, are outlined below:

- |   |           |
|---|-----------|
| • Mandatory Requirements                              | 40 points |
| • Technology  | 40 points |
| • Operational Protocol, Skills, Training, & Standards | 40 points |
| • Call Services Specifications                        | 30 points |
| • Company Background and Subcontractors               | 20 points |

**8.3 Cost/Price Rating System:** The Cost/Price area, as outlined in Section 5, “Cost/Pricing,” will not be given a specific score. However it will be carefully considered in performing an integrated assessment of the proposals leading to selection of the best value offeror.

**8.4 References Rating System:** The References area, as outlined in Section 4, “Company Background and References,” will have a total point score of 30 points.

**8.5** Reference checks will not be limited to specific customer references, but may include other relay and state officials, consumers, and organizations serving people with disabilities.

**8.6** The Commission reserves the right to make test calls.

**8.7** The Commission will evaluate each proposal based on the requirements in this RFP. The company must acknowledge and agree to perform all RFP requirements and meet all performance standards.

**8.8** When final approval from the Commission is received, the award will be posted on the following website: [www.dcpssc.org](http://www.dcpssc.org).

|  |
|--|
| <p><b>To Locate Information on the District of Columbia’s PSC website:</b></p> |
|--|

1. Go to the District of Columbia PSC’s home page (<http://www.dcpssc.org>).
2. Click on “Requests...” (located on left side of page).
3. Click on “Requests for Proposals.”
4. Click on “Contract Awards.”
5. Scroll down list and click on desired award to receive details.

- 8.9** Any award is contingent upon the successful negotiation of final contract terms and upon approval of the Commission. Negotiations will be confidential and not subject to disclosure to competing companies, unless and until an agreement to do so is reached. If contract negotiations cannot be concluded, the Commission may negotiate a contract with the next highest scoring company or withdraw the RFP.

## **9. TERMS, CONDITIONS, AND EXCEPTIONS**

- 9.1** The DCUSTF Administrator will monitor performance following the contract award for customer service, timeliness, quality, technology, flexibility, and pricing.
- 9.2** The Commission reserves the right to alter, amend, or modify any provisions of the RFP, or to withdraw this RFP at any time prior to the award of a contract, if it is in the best interest of the District of Columbia to do so.
- 9.3** The Commission reserves the right to reject any or all proposals received prior to contract award.
- 9.4** The Commission will award the contract to the offeror whose proposal conforms to the solicitation and is most advantageous to the District of Columbia, taking into consideration cost and other criteria set forth in this document, and based upon the specified evaluation criteria.

In evaluating and selecting offerors for award, the Commission may award the contract to a higher-rated, higher-priced TRS Provider when the offer is consistent with the evaluation criteria set forth and the Commission determines that any added benefits are worth the price premium. While the Commission will strive to exercise maximum objectivity, the source selection process, by its very nature, is subjective and professional judgment is implicit and necessary.

- 9.5** Proposals that appear unrealistic in terms of technical commitments, reflect a lack of technical competence, or are indicative of failure to comprehend the complexity and risk of this contract may be rejected.
- 9.6** Proposals may be withdrawn by written or facsimile notice received prior to the proposal closing date and time.
- 9.7** Prices offered by companies are irrevocable offers for the term of the contract and any contract extensions. The selected company agrees to provide the purchased services at the costs, rates, and fees as set forth in its proposal in response to this RFP. No other costs, rates, or fees will be payable to the selected company for implementation of its proposal.

- 9.8** Neither the DCUSTF Administrator nor the Commission is liable for any costs incurred by companies prior to entering into a formal contract. Costs of developing the proposals, or any other such expenses incurred by the company in responding to the RFP, are entirely the responsibility of the offeror, and shall not be reimbursed in any manner by the DCUSTF Administrator or the Commission.
- 9.9** All proposals submitted become the property of the Commission.
- 9.10** All proposals must identify any subcontractors and outline the contractual relationship between the offeror and each subcontractor. An authorized individual of each proposed subcontractor must sign a statement that the subcontractor has read and agrees to abide by the prime contractor's obligations. Any such statements shall be included as part of the offeror's proposal.
- 9.11** The prime contractor will have the sole responsibility for the contract. The prime contractor will not be relieved for the non-performance of any or all subcontractors.
- 9.12** Additional "Terms, Conditions, and Exceptions" are located in **Attachment A**, Government of the District of Columbia, Standard Contract Provisions.

## ATTACHMENT A

To obtain the Government of the District of Columbia Standard Contract Provisions, for use with District of Columbia Government Supply and Services Contracts, April 2003, go to [www.dcpssc.org](http://www.dcpssc.org) (homepage), click on the Contracting and Procurement button, click on Requests for Proposals, and click on the RFP for Case No. 988.

## **ATTACHMENT B**

### **Disclosure Statement**

The following individuals will perform the work described in this proposal:

Please indicate, to the best of your knowledge, if any of these individuals is related to or has worked for the following individuals in the past five (5) years:

Chairperson Agnes Alexander Yates  
Commissioner Richard E. Morgan

**Exhibit No. 3**

Technical Services Contract

For Formal Case No. 988

Telecommunications Relay Provider

For the District of Columbia

**TECHNICAL SERVICES CONTRACT**  
**FOR FORMAL CASE NO. 988**

**TELECOMMUNICATIONS RELAY PROVIDER FOR THE DISTRICT OF**  
**COLUMBIA**

This Contract, No.: PSC-07-10, is made effective as of April 4, 2007, by and between the Public Service Commission of the District of Columbia (hereinafter, "Commission"), of 1333 H Street, N.W., 2nd Floor West Tower, Washington, D.C. 20005, and MCI Communications Services Inc. d/b/a Verizon Business Services, (hereinafter "Contractor") of 22001 Loudon County Boulevard, Ashburn, Virginia 20147.

1. **Contract Documents:** This Contract shall consist of the following documents:
  - 1.1 The Commission's Request for Proposal dated February 14, 2007 (Attachment A);
  - 1.2 The Contractor's Proposal dated March 13, 2007 (Attachment B);
  - 1.3 The Contractor's Best and Final Offer dated March 20, 2007 (B1);
  - 1.4 Standard Contract Provisions for use with District of Columbia Government Supply and Services Contracts, as amended, to the extent applicable (Attachment C); and,
  - 1.5 The general conditions set out herein.
2. **Complete Agreement:** This Contract and all documents referred to above shall serve as the final and complete agreement between the parties and may not be changed, waived, modified or amended except by written instrument signed by the parties and expressly made a part hereof. All previous discussions, writings and agreements are hereby superseded.
3. **Description of Services:** The Contractor shall provide technical consulting services as delineated in the Request for Proposal (Attachment A), the proposal dated March 13, 2007 (Attachment B), and the best and final offer dated March 20, 2007 (B1).
4. **Contract Administrator:** The Contract Administration shall be Rhoads & Sinon the Commission's Universal Service Trust Administrator, David Rolka.
5. **Taxes:** The Government of the District of Columbia is exempt from, and will not pay, federal excise taxes or any state or local taxes, nor shall any such taxes be included in any Invoices submitted to the Commission under this Contract. **THE DISTRICT OF COLUMBIA GOVERNMENT'S FEDERAL EXCISE TAX-REGISTRATION NUMBER IS 52-73-0206-K.**

6. **Contract Type/Price:** This is a firm-fixed unit price contract for the services to be provided.

The firm-fixed unit price is the rate of \$0.95 per session minute. The estimated contract amount will be \$360,000.00. The estimated contract amount is based on an estimated 25,200 intrastate session minutes per month utilizing a rate of \$0.95.

7. **Contract Term:** The term of this Contract shall be fifteen months; the term shall begin on April 13, 2007 and terminate on July 12, 2008.

8. **Option to Extend the Term of the Contract:**

The Commission may extend the term of this contract for two (2) one (1) year periods at the extension fixed rate per session minute cost of \$1.00 as indicated in the proposal section 5.2. The Commission shall give the Contractor preliminary written notice of its intent to extend at least thirty days before the contract expires. The contractor may waive the thirty-day preliminary notice requirement by providing a written waiver to the Contracting Officer prior to expiration of the contract. The preliminary notice does not commit the Commission to an extension.

The total duration of this contract including the exercise of any options under this clause shall not exceed three (3¼) years.

9. **Disbursement of Funds:** The Relay Service Provider shall deliver to the Administrator, no more frequently than monthly, a statement of the monthly invoice including the actual call volume handled by the relay service center, and pursuant to the Request for Proposal, an invoice for relay services. Within thirty (30) days of receipt of the monthly invoice, the Administrator shall disburse from the Relay system Fund amounts necessary to pay such invoice.

10. **Compensation:** The Relay Service Provider shall be entitled to receive compensation for services rendered hereunder at the rate of \$0.95 per session minute. This per minute rate shall include the Relay Service Provider meeting all of the mandatory requirements for the provisioning of telecommunications relay services as set forth by the FCC. If additional regulations or orders are entered by the FCC or the Commission during the term of this contract and such regulations or orders will cause an increase in costs to the Relay Service Provider, the Relay Service Provider and the District of Columbia TRS Administrator shall enter into good faith negotiations to modify the rate to cover any such increase in costs. Any such modification in rate shall be subject to approval by the Commission. In the event the parties are unable to agree upon such an increase in rate, either party may elect to terminate this Agreement upon providing One Hundred and Eighty (180) days written notice.

11. **Unacceptable Work Product:** If the Commission determines that the Contractor has rendered unsatisfactory performance or has submitted an unacceptable work product, the Commission, through its Contract Administrator, shall notify the Contractor of such determination in writing and may refuse to pay all or part of



the invoice or invoices that reflect the fees and expenses associated with the unacceptable work product.

12. **Waiver:** The waiver by any party of any breach of the Contract does not waive any subsequent breach of the contract, nor does the waiver or any breach of contract constitute a waiver of the contract itself.
13. **Delegation or Assignment:** The Contractor shall not delegate or assign its rights or obligations under this contract without prior written consent from the Commission.
14. **Contract Records:** All contract books, records and other documents related to matters under this contract shall be made available by the Contractor to the Commission and its designated agents for a period of five years after final payment for the purpose of audit and examination.
15. **Confidentiality:** The Contractor agrees to hold and to keep all documents, drawings, information and analyses arising under this contract in a confidential manner. Any violation of this Agreement shall be reported immediately to the Commission.
16. **Non-Discrimination in Employment:** The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, sex, age or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
17. **Governing Law:** This contract and any disputes arising hereunder shall be governed in accordance with the laws of the District of Columbia.
18. **Order of Precedence:** In the event of an inconsistency among provisions of this contract, the inconsistency shall be resolved by giving precedence in the following order:
  - 18.1** Paragraphs 1 through 19 of this Contract;
  - 18.2** Standard Contract Provisions for use with District of Columbia Government Supply and Services Contracts, as amended, to the extent applicable (Attachment C);
  - 18.3** The Contractor's Proposal dated March 13, 2007(Attachment B);
  - 18.4** The Contractor's Best and Final Offer dated March 20, 2007 (B1), and

**18.5** The Commission's Request for Proposal dated February 14, 2007  
(Attachment A);

19. **Notices:** All reports, communications, requests, or notices required by or permitted under this contract shall be in writing and shall be deemed to be duly given on the date same is hand delivered or sent by facsimile or Emailed or if mailed by certified or registered mail (return receipt requested), on the third day after the date of the mailing, postage prepaid, to the party concerned at the following address:

If to the Commission:

Ellen Brown  
Senior Financial Analyst  
D.C. Public Service Commission  
1333 H Street, N.W., 7<sup>th</sup> Floor East Tower  
Washington, DC 20005  
**ebrown@psc.dc.gov**

If to Rhoads& Sinon:

David Rolka  
One South Market Square  
Twelfth Floor  
Harrisburg, Pennsylvania 17101835  
**drolka@rhoads-sinon.com**

If to Contractor:


Gerald Nelson  
6900 Virginia Manor Road Suites 110 120 Suites 130  
Room G2065  
Beltsville, MD USA 20705  
**Jerry.nelson@verizonbusiness.com**

Randy Sergeant,  
2080 West Chandler Blvd  
Chandler, AZ 85224  
**randy.sergeant@verizonbusiness.com**

Either party may change the address to which such notices and communications shall be sent by written or facsimile notice to the other party, provided that any notice of change of address shall be effective only upon receipt.

Party contracting services:

Public Service Commission of the District of Columbia

By:   
Agnes A. Yates, Chairperson  
Contracting Officer

Date: April 4, 2007

Service Provider:

MCI Communication Services, Inc. d/b/a Verizon Business Services

By:   
Marilyn H. O'Connell  
Chief Marketing Officer

Date: 4/2/07

## **Exhibit No. 4**

Verizon Business Services'

Compliance with Mandatory

Operational, Technical and Functional Standards



September 14, 2007

David W. Rolka  
President, RLSA  
1 S. Market Square  
Harrisburg, PA 17101

RE: Application for Renewal, FCC Certification for Telecommunication Relay Services (TRS)

Dear Mr. Rolka,

Accompanying this letter is a document, intended to assist the DCPSC in filing its renewal application for FCC Certification for the District of Columbia Relay Service ("DCRS"), that describes how Verizon Business Services (therein referred to as "Verizon") meets or exceeds all of the mandatory minimum operational, technical, and functional standards prescribed by the FCC in providing DCRS with services beginning 12:01 a.m. on April 13, 2007 under the terms of the current DCRS contract.

Please let me know if you have any questions or if I might be of additional assistance.

Thank you.

Sincerely,

Randy Sergeant  
State TRS Account Manager

E-copy: Ellen Brown, DCPSC

**FCC RECERTIFICATION APPLICATION**  
**DISTRICT OF COLUMBIA RELAY SERVICE**

**Verizon, 2007**

## Checklist of FCC Minimum Standards

| FCC Minimum Standard (§64.604)               | Meets | Exceeds |
|--|-------|---------|
| (a) Operational Standards                    |       |         |
| (1) Communications assistants                |       | X       |
| (2) Confidentiality and conversation content | X     |         |
| (3) Types of calls                           |       | X       |
| (4) Handling of emergency calls              |       | X       |
| (5) STS called numbers                       |       | X       |
| (b) Technical Standards                      |       |         |
| (1) ASCII and Baudot                         | X     |         |
| (2) Speed of Answer                          |       | X       |
| (3) Equal access to interexchange carriers   | X     |         |
| (4) TRS facilities                           | X     |         |
| (5) Technology                               | X     |         |
| (6) Caller ID                                | X     |         |
| (c) Functional Standards                     |       |         |
| (1) Consumer complaint logs                  | X     |         |
| (2) Contact persons                          | X     |         |
| (3) Public access to information             | X     |         |
| (4) Rates                                    | X     |         |
| (5) Jurisdictional separation of costs       | X     |         |
| (6) Complaints                               | X     |         |
| (7) Treatment of TRS customer information    | X     |         |

## §64.604 Mandatory Minimum Standards; Verizon's approach

### (a) *Operational Standards*

#### (1) *Communication Assistant ("CA") Competencies*

Verizon believes that the CA, as the primary contact between Verizon's relay service and its users, is one of the most important components of relay service. Because of the critical nature of this role, Verizon has established and adheres to rigorous standards in the hiring, training, and retention of CAs.

- (i) *TRS providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.*

Verizon's District of Columbia Relay Service (DCRS) Communication Assistant ("CA") training curriculum covers all aspects of relay communication and incorporates extensive Deaf Awareness and Deaf culture training, TTY usage, confidentiality, ethics, emergency call handling and relay etiquette. Verizon exceeds this requirement in that training is also provided to supervisory and customer service personnel. DCRS Speech-to-Speech ("DCSTS") calls are handled by a separate group of CAs whose training, in addition to that described above, includes familiarization with the various speech patterns of people who have a speech disability.

- (ii) *CAs must have competent skills in grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.*

Verizon's DCRS CA applicants are initially screened to ensure that they possess competent skills in typing, grammar and spelling, and that they can clearly and articulately communicate by voice. Once hired, they must successfully complete an extensive training program and demonstrate competency in interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette prior to handling DCRS calls. Verizon exceeds this requirement in that DCSTS CAs are screened using pure tone audiometric tests and must achieve a hearing acuity of 20dB or less in each ear at 250 Hz, 500 Hz, 1000 Hz, 2000 Hz and 4000 Hz. Audiometric tests are administered to DCSTS CAs before placement and at least once annually. Additionally, if it is suspected, either by means of customer feedback, call monitoring, or Quality Monitoring, that a DCSTS CA's hearing or speech discrimination ability has diminished, the CA will be removed from DCSTS call handling assignments until a hearing acuity test can be administered. In addition to the above, all CAs and DCSTS CAs handling calls in Spanish must demonstrate skills in Spanish grammar and spelling at a minimum of a 12<sup>th</sup> grade level.

- (iii) *CAs must provide a typing proficiency of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed.*

Verizon's DCRS CA applicants must demonstrate a minimum typing speed of 60 words per minute using an oral-to-type test prior to receiving an offer of employment. Verizon exceeds this requirement in that CA typing speed is tested again at 3 months of hire, and annually thereafter to ensure continued compliance with the 60 words per minute requirement. Verizon exceeds this requirement in that it does not incorporate technological aids in testing CA typing speed.

- (iv) *TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A "qualified interpreter" is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.*

The DCRS scope of service does not currently include VRS. In providing VRS as a separate product from DCRS, however, all of Verizon's VRS interpreters possess national interpreter certification as a means of demonstrating their ability to interpret effectively, both receptively and expressively.

- (v) *CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.*

Verizon's DCRS CAs make every effort to remain on a call for the duration of the call. Should there be a need to change CAs, however, the change will not take place until the original CA has been on the call for a minimum of ten minutes for DCRS calls and a minimum of fifteen minutes for DCSTS calls.



- (vi) **TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if transfer occurs, at the time the call is transferred to another CA.**

Verizon, to the extent possible, accommodates DCRS users' preference for CA and DCSTS CA gender at the beginning of the call. And if there is a change of CA or DCSTS CA, to the extent possible, the relieving CA or DCSTS CA is of the preferred gender.

- (vii) ***TRS shall transmit conversations between TTY and voice callers in real time.***

Verizon's DCRS CAs relay conversations between TTY and voice callers in real time.

## **(2) Confidentiality and conversation content.**

- (i) ***Except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.***

Verizon believes that confidentiality is of paramount importance in relaying calls. Verizon has defined and adheres to strict confidentiality guidelines. All relay personnel must sign a Pledge of Confidentiality to ensure understanding, and must review and sign this Pledge annually. The Pledge binds personnel to maintain confidentiality during employment as well as after termination of employment. Only persons who have signed a Pledge are allowed into the production area of a Verizon relay center. Observing or listening to actual calls by anyone other than the CA handling the call is prohibited except for training or quality assurance purposes. If a Supervisor or a CA has questions or concerns, they will converse in such a manner as to maintain confidentiality. In addition to extensive initial and ongoing training related to confidentiality, reminders are posted throughout the relay call center. All allegations of confidentiality breach are immediately and thoroughly investigated, and the individual against whom an allegation is lodged is immediately placed on administrative leave during the course of the investigation. Any individual who, after investigation, is found to have violated customer confidentiality is terminated, and is not allowed to work in a Verizon relay center again. No records of call content are kept after call termination with the exception of information retained by request of a DCSTS user to assist in subsequent calls, but only for the duration of those subsequent calls. All conversation content and call information is automatically and permanently erased from the console screen upon termination of the call. Consoles do not have the ability to store call data or text after the call is terminated.

- (ii) ***CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state, or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS Ca may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.***

Verizon's CAs are prohibited from intentionally altering a relayed conversation and, to the extent it is not inconsistent with federal, state or local law regarding use of telephone facilities for illegal purposes, CAs relay the entire conversation verbatim unless the caller specifically requests interpretation of a call to ASL or summarization of call content. DCSTS CAs facilitate the call of a DCSTS user unless requested otherwise, without interfering with the independence of the DCSTS user, and enabling the caller to maintain control of the conversation.

## **(3) Types of calls.**

- (i) **Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.**

Verizon's CAs are prohibited from refusing to place single or sequential calls or call attempts, and from limiting the length of calls placed by relay users.

- (ii) *Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call.*

Verizon's DCRS platform is capable of handling any type of call normally provided by common carriers, including calls with terminations that are local, intraLATA, intrastate interLATA, Interstate, International, and to directory assistance, toll-free, and 900 numbers. Billing options include bill to ANI, Carrier of Choice, collect, third-party, and authorized credit card.

- (iii) *Relay service providers are permitted to decline to complete a call because credit authorization is denied.*

Where a caller wishes to place a call using a credit card and credit is denied, Verizon's CAs will inform the caller of this situation and solicit from the caller an alternate method of billing the call.

- (iv) *Relay services should be capable of handling pay-per-call calls.*

Verizon's relay platform supports outgoing calls to pay-per-call calls. Verizon provides a toll-free 900-access number into the relay center to enable callers to access these services. Verizon's system is designed to ensure that the caller is billed for any charges incurred on outgoing calls to pay-per-call numbers. Using a 900-access number provides the caller with an additional safety measure in that it preserves the 900 blocking capabilities the caller may have requested through their LEC.

- (v) *TRS providers are required to provide the following types of TRS calls: (1) text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO to TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, and HCO-to-HCO.*

Verizon complies. In addition, all of these call modalities are available to Spanish-language callers.

- (vi) *TRS providers are required to provide the following features (1) Call release functionality; (2) Speed dialing functionality; and (3) three-way calling functionality.*

Verizon complies. Further, Verizon's DCRS platform allows callers to store up to 99 names and numbers in their speed dial profile, and allows for operator-initiated three-way calling.

- (vii) *Voice mail and interactive menus. CAs must alert the TRS user of the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.*

Verizon's relay platform allowed the CA to record and respond to recorded messages and interactive menus. Callers are alerted to the presence of a recorded message or interactive menu by the CA through the use of a hot key. The capture-recording feature plays the message back to the CA at a variable rate that is under the CA's control. The captured announcements or messages are not retained beyond the duration of the incoming call. If charges are applicable, the caller is charged for only one call, regardless of the number of calls that may be required to completely convey or retrieve a message.

- (viii) *TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.*

Verizon provides answering machine and voice mail message retrieval as a standard feature.

- (4) **Handling of emergency calls. Providers must use a system for incoming emergency calls that, at a minimum automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.**

Verizon complies. Verizon's DCRS platform automatically identifies the caller's PSAP by cross-referencing the caller's ANI with the associated PSAP contained in the emergency database. The emergency database is updated on a continuous basis, and is one of the most comprehensive and up-to-date emergency databases in use today. When an emergency call request is originated from a cell phone the caller is prompted to provide a physical location. The system then looks up and dials out the associated PSAP number as opposed to calling the PSAP location associated with the delivered ANI. When the CA initiates the emergency dialing feature the console is automatically placed in a "busy" or "stand-by" mode while the outgoing call is being placed to the PSAP. This process retains

the caller's ANI should the caller hang up before connecting to the PSAP and prevents the console from being available for an incoming call, which would erase the caller's ANI.

- (5) *Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.*

Verizon's DCSTS callers can expedite their calls by providing the DCSTS CA with the name of the desired called person. In addition, DCSTS users can, at their option, include their names in a DCSTS Directory so that "speech able" callers can request an outgoing call to the DCSTS user by giving the DCSTS CA the DCSTS user's name. Further, DCSTS users can access their Speed Dial list when away from their profiled ANI by using a pre-registered pass code.

**(b) Technical Standards**

- (1) **ASCII and Baudot. TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.**

Verizon's relay platform is capable of receiving and transmitting in ASCII and Baudot format at speeds that are generally in use.

**(2) Speed of answer.**

- (i) *TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*
- (ii) *TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*
- (A) *The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.*
- (B) *Abandoned calls shall be included the speed-of-answer calculation.*
- (C) *A TRS provider's compliance with this rule shall be measured on a daily basis.*
- (D) *The system shall be designed to a P.01 standard.*
- (E) *A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.*

Verizon monitors relay call traffic at a minimum of every 30 minutes. On each half-hour, switching equipment generates a summary of call handling data for the previous 30 minute period which is used to develop projections for agent staffing based on time of day and day of week to ensure adequate staffing to answer a minimum of 85% of calls within 10 seconds. ASA is measured from the time a call reaches the Verizon switch and continues until the call is answered by a CA who is ready to begin processing an outgoing call, and daily ASA includes abandoned calls. Verizon's switched network is designed for an overall network availability objective of 99.6 percent or better. Individual network switches, including those responsible for network call distribution, are designed to meet availability objectives of at least 99.99 percent to minimize the probability of a busy response due to loop trunk congestion. Call blocking data is provided in Exhibit 1, and answer speed data is provided in Exhibit 2. As illustrated, Verizon consistently exceeds this requirement.

- (iii) *Speed of answer requirements for VRS providers are phased-in as follows. answer requirements for VRS providers are phased-in as follows: by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a monthly basis; by July 1, 2006, VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis. Abandoned calls shall be included in the VRS speed of answer calculation.*

The DCRS scope of service does not currently include VRS. In providing VRS as a separate product from DCRS, however, Verizon complies with the VRS speed of answer requirement.

- (3) **Equal access to interexchange carriers.** TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services to the same extent that such access is provided to voice users.

Verizon's DCRS platform allows callers access to their chosen Interexchange Carrier (IXC), to the extent that the IXC can be identified and is willing to participate in TRS, by routing those requests to a LEC tandem that has IXC trunking. At the LEC tandem the trunking is switched over to the designated IXC which is provided the Originating ANI, the Terminating ANI, Info Digits, and SS7 information including Caller ID. With that information the IXC is able to route and bill calls appropriately.

**(4) TRS facilities.**

- (i) **TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not be provided every day, 24 hours a day, except VRS.**
- (ii) **TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.**

Verizon operates DCRS 24 hours per day, seven days per week. Verizon adheres to strict internal operating standards, frequent testing, and a highly fault-tolerant hierarchical switched network design that provides multiple routing choices for all switched calls. Verizon protects its relay center against power outages with an uninterruptible power supply (UPS), a battery system, and a back-up diesel generator.

- (5) **Technology.** No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 et seq

Verizon understands and complies.

- (6) ***Caller ID.*** When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.

Verizon's DCRS platform incorporates SS7 technology and transmits the 10-digit number of the calling party to the public network, which is passed through to the calling party if the calling party subscribes to Caller ID services through their local telephone service provider.

**(c) Functional standards**

**(1) Consumer complaint logs.**

- (i) ***States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.***
- (ii) ***Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001. The CPUC and Verizon/Verizon submit annual summaries of complaint logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year.***

Verizon complies. Annual filings are available at the FCC.

- (2) ***Contact persons.*** Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:

- (i) ***The name and address of the office that receives complaints, grievances, inquiries, and suggestions;***
- (ii) ***Voice and TTY telephone numbers, fax number, e-mail address, and web address; and***
- (iii) ***The physical address to which correspondence should be sent.***

Verizon complies.

- (3) *Public access to information. Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*

The DCRS toll-free access numbers and instructions for using DCRS are available in telephone directories, and directory assistance services have the numbers available upon request. Verizon has an outreach specialist assigned to the District of Columbia. The outreach specialist initiates, conducts and participates in activities throughout the District focusing primarily on educating the general public and “non-traditional” or potential relay users, such as people who are hard of hearing, late deafened, elderly and speech disabled, about DCRS and the availability of 711 access to the service. DCRS and DCSTS brochures describing the service and identifying access numbers and contact persons, are distributed at community events and placed in strategic locations throughout the District.

- (4) *Rates. TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination*

Verizon complies with this requirement for interstate long distance calls carried by Verizon, and passes other billing records to the appropriate carrier for customer billing to ensure that DCRS users pay rates no greater than those paid for functionally equivalent voice calls.

- (5) *Jurisdictional separation of costs.*

- (i) *General. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended.*
- (ii) *Cost recovery. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under §64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.*
- (iii) *Telecommunications Relay Services Fund. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.*
  - (A) *Contributions. Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.*
  - (B) *Contribution computations. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to interstate end-user telecommunications revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years'*

*contributions. Each subject carrier must contribute at least \$25 per year. Carriers whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Carriers shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the Federal Register). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions. The Chief of the Consumer & Governmental Affairs Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.*

- (C) *Data collection from TRS Providers. TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.*
- (D) *[Reserved]*
- (E) *Payments to TRS providers. TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in §64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.*
- (F) *TRS providers eligible for receiving payments from the TRS Fund are:*

  - (1) *TRS facilities operated under contract with and/or by certified state TRS programs pursuant to §64.605; or*
  - (2) *TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to §64.604; or*
  - (3) *Interstate common carriers offering TRS pursuant to §64.604; or*
  - (4) *Video Relay Service (VRS) and Internet Protocol (IP) Relay providers certified by the Commission pursuant to §64.605.*

- (G) Any eligible TRS provider as defined in paragraph (c)(5)(iii)(F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.
- (H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes. The administrator shall establish a non-paid voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of the advisory committee deliberations.
- (I) Information filed with the administrator. The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer & Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (See 47 CFR 54.701 of this chapter), the North American Numbering Plan administration cost recovery (See 47 CFR 52.16 of this chapter), and the long-term local number portability cost recovery (See 47 CFR 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under §0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.
- (J) The administrator's performance and this plan shall be reviewed by the Commission after two years.
- (K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.

Verizon complies with the above requirements to the extent that they apply to TRS providers.

#### (6) Complaints

- (i) Referral of complaint. If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under §64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.

- (ii) *Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.*
- (iii) *Jurisdiction of Commission. After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:*
  - (A) *Final action under such state program has not been taken within:*
    - (1) *180 days after the complaint is filed with such state entity; or*
    - (2) *A shorter period as prescribed by the regulations of such state; or*
  - (B) *The Commission determines that such state program is no longer qualified for certification under §64.605.*
- (iv) *The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.*
- (v) *Complaint procedures. Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.*
  - (A) *Informal complaints*
    - (1) *Form. An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau by any reasonable means, such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.*
    - (2) *Content. An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating section 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of response to the complaint by the Commission and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).*
    - (3) *Service; designation of agents. The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.*
  - (B) *Review and disposition of informal complaints.*
    - (1) *Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail.*
    - (2) *A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to paragraph (c)(6)(v)(C) of this section.*
  - (C) *Formal complaints. A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, DC 20554 and shall contain:*
    - (1) *The name and address of the complainant,*
    - (2) *The name and address of the defendant against whom the complaint is made,*



- (3) *A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and*
- (4) *The relief sought.*
- (D) *Amended complaints. An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.*
- (E) *Number of copies. An original and two copies of all pleadings shall be filed.*
- (F) *Service.*
  - (1) *Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.*
  - (2) *All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of §1.47 of this chapter. Proof of such service shall also be made in accordance with the requirements of said section.*
- (G) *Answers to complaints and amended complaints. Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.*
- (H) *Replies to answers or amended answers. Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.*
- (I) *Defective pleadings. Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.*

Verizon follows up and resolves each complaint as expeditiously and as thoroughly as possible. Should a complaint be filed with or escalated to the FCC, Verizon understands and will comply with these minimum standards.

- (7) *Treatment of TRS customer information. Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.*

Verizon does not use customer profile data for any purpose other than to connect the caller with requested called parties, and maintains the confidentiality of caller profile data in a secure database. In all previous service transitions, Verizon has provided customer profile database information in usable form to an incoming vendor at least 60 days prior to Verizon's last day of service provision, and agrees to comply with this minimum requirement in all future service transitions.

[65 FR 38436, June 21, 2000, as amended at 65 FR 54804, Sept. 11, 2000; 67 FR 13229, Mar. 21, 2002; 68 FR 50977, Aug. 25, 2003; 69 FR 5719, Feb. 6, 2004; 69 FR 53351, Sept. 1, 2004; 69 FR 55985, Sept. 17, 2004; 69 FR 57231, Sept. 24, 2004; 70 FR 51658, Aug. 31, 2005; 70 FR 76215, Dec. 23, 2005]

## §64.605 STATE CERTIFICATION.

### (a) *State documentation*

- (1) *Certified state program.* Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned "TRS State Certification Application." All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.
- (2) *VRS and IP Relay provider.* Any entity desiring to provide VRS or IP Relay services, independent from any certified state TRS program or any TRS provider otherwise eligible for compensation from the Interstate TRS Fund, and to receive compensation from the Interstate TRS Fund, shall submit documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned "VRS and IP Relay Certification Application." The documentation shall include, in narrative form:
  - (i) A description of the forms of TRS to be provided (i.e., VRS and/or IP Relay);
  - (ii) A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered;
  - (iii) A description of the provider's procedures for ensuring compliance with all applicable TRS rules;
  - (iv) A description of the provider's complaint procedures;
  - (v) A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards;
  - (vi) A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards;
  - (vii) Demonstration of status as a common carrier; and
  - (viii) A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

### (b) (1) *Requirements for state certification.* After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:

- (i) Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in §64.604;
- (ii) Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and
- (iii) Where a state program exceeds the mandatory minimum standards contained in §64.604, the state establishes that its program in no way conflicts with federal law.

### (2) *Requirements for VRS and IP Relay Provider FCC Certification.* After review of certification documentation, the Commission shall certify, by Public Notice, that the VRS or IP Relay provider is eligible for compensation from the Interstate TRS Fund if the Commission determines that the certification documentation:

- (i) Establishes that the provision of VRS and/or IP Relay will meet or exceed all non-waived operational, technical, and functional minimum standards contained in §64.604;
- (ii) Establishes that the VRS and/or IP Relay provider makes available adequate procedures and remedies for ensuring compliance with the requirements of this section and the mandatory minimum standards contained in §64.604, including that it makes available for TRS users informational materials on complaint procedures sufficient for users to know the proper procedures for filing complaints; and
- (iii) Where the TRS service differs from the mandatory minimum standards contained in §64.604, the VRS and/or IP Relay provider establishes that its service does not violate applicable mandatory minimum standards.

### (c) (1) *State certification period.* State certification shall remain in effect for five years. One year prior to expiration of certification, a state may apply for renewal of its certification by filing documentation as prescribed by paragraphs (a) and (b) of this section.

### (2) *VRS and IP Relay Provider FCC certification period.* Certification granted under this section shall remain in effect for five years. A VRS or IP Relay provider may apply for renewal of its

- certification by filing documentation with the Commission, at least 90 days prior to expiration of certification, containing the information described in paragraph (a)(2) of this section.*
- (d) Method of funding. Except as provided in §64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.*
  - (e) (1) Suspension or revocation of state certification. The Commission may suspend or revoke such certification if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. In a state whose program has been suspended or revoked, the Commission shall take such steps as may be necessary, consistent with this subpart, to ensure continuity of TRS. The Commission may, on its own motion, require a certified state program to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a state program may not be in compliance with the minimum standards.*
  - (2) Suspension or revocation of VRS and IP Relay Provider FCC certification. The Commission may suspend or revoke the certification of a VRS or IP Relay provider if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. The Commission may, on its own motion, require a certified VRS or IP Relay provider to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a certified VRS or IP Relay provider may not be in compliance with the minimum standards.*
  - (f) Notification of substantive change.*
    - (1) States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.*
    - (2) VRS and IP Relay providers certified under this section must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days of when such changes occur, and must certify that the interstate TRS provider continues to meet federal minimum standards after implementing the substantive change.*
  - (g) VRS and IP Relay providers certified under this section shall file with the Commission, on an annual basis, a report providing evidence that they are in compliance with §64.604.*

Verizon complies with the above requirements to the extent that they apply to TRS providers.

**FCC RECERTIFICATION APPLICATION  
DISTRICT OF COLUMBIA RELAY SERVICE  
Verizon, 2007**

**EXHIBIT A  
Call Blocking Data**

**Verizon  
District of Columbia Relay Service  
Call Blocking**

[illegible][illegible][illegible][illegible][illegible]

**FCC RECERTIFICATION APPLICATION  
DISTRICT OF COLUMBIA RELAY SERVICE  
Verizon, 2007**

**EXHIBIT B  
Speed of Answer Data**

Verizon  
District of Columbia Relay Service  
Answer Speed

| 2003 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Jan  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Feb  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Mar  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Apr  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| May  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jun  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jul  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Aug  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Sep  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Oct  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Nov  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Dec  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

| 2004 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Jan  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Feb  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Mar  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Apr  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| May  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jun  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jul  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Aug  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Sep  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Oct  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Nov  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Dec  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

| 2005 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Jan  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Feb  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Mar  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Apr  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| May  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jun  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jul  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Aug  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Sep  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Oct  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Nov  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Dec  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

| 2006 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Jan  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Feb  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Mar  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Apr  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| May  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jun  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Jul  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Aug  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Sep  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Oct  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Nov  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Dec  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

| 2007 | 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  | 21  | 22  | 23  | 24  | 25  | 26  | 27  | 28  | 29  | 30  | 31  |
|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Jan  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Feb  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Mar  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
| Apr  |     |     |     |     |     |     |     |     |     |     |     |     | 98% | 96% | 95% | 95% | 98% | 97% | 98% | 97% | 97% | 98% | 97% | 96% | 96% | 96% | 94% | 95% | 96% | 96% |     |
| May  | 95% | 95% | 93% | 96% | 92% | 91% | 95% | 96% | 93% | 93% | 95% | 96% | 96% | 96% | 98% | 97% | 98% | 98% | 99% | 96% | 98% | 97% | 94% | 96% | 97% | 97% | 88% | 95% | 98% | 99% | 98% |
| Jun  | 97% | 94% | 98% | 98% | 98% | 93% | 98% | 96% | 96% | 91% | 97% | 97% | 97% | 96% | 96% | 95% | 96% | 98% | 97% | 96% | 97% | 98% | 97% | 95% | 98% | 97% | 98% | 97% | 94% | 97% | 98% |
| Jul  | 97% | 96% | 95% | 99% | 94% | 98% | 96% | 97% | 97% | 98% | 95% | 97% | 98% | 94% | 95% | 99% | 98% | 98% | 98% | 98% | 94% | 99% | 96% | 97% | 96% | 98% | 96% | 94% | 97% | 99% | 98% |